

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

SEPRACOR INC., v. DEY, L.P., and DEY, INC. Defendants.	Plaintiff, C.A. No. 06-113 (JJF) C.A. No. 06-604 (JJF) CONSOLIDATED
SEPRACOR INC., v. BARR LABORATORIES, INC., Defendant.	Plaintiff, C.A. No. 07-438 (JJF)

SEPRACOR'S MOTION TO CONSOLIDATE THE DEY AND BARR CASES

Plaintiff Sepracor Inc. hereby moves for an Order consolidating cases pending before this Court that involve the same five patents: (1) *Sepracor Inc. v. Dey L.P., et al.*, C.A. No. 06-113 and C.A. No. 06-604 (JJF) (consolidated); and (2) *Sepracor Inc. v. Barr Labs, Inc.*, C.A. No. 07-438 (JJF). The grounds for this motion are set forth in the opening brief filed herewith.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Karen Jacobs Louden

Jack B. Blumenfeld (#1014)
Karen Jacobs Louden (#2881)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899-1347
(302) 658-9200
jblumenfeld@mnat.com
klouden@mnat.com

Attorneys for Plaintiff Sepracor Inc.

OF COUNSEL:

Joseph M. O'Malley, Jr.
Bruce M. Wexler
PAUL, HASTINGS, JANOFSKY &
WALKER LLP
75 East 55th Street
New York, NY 10022

February 7, 2008
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RULE 7.1.1 CERTIFICATE

Counsel for Sepracor Inc. hereby certifies pursuant to D. Del. L.R 7.1.1 that they discussed the subject of the foregoing motion with counsel for defendants and that they have not been able to reach agreement thereon.

/s/ Karen Jacobs Louden

Karen Jacobs Louden

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CERTIFICATE OF SERVICE

I, hereby certify that on February 7, 2008, I electronically filed the foregoing with the Clerk of the Court using CM/ECF, which will send notification of such filing(s) to the following:

Steven J. Balick
John G. Day
Tiffany Geyer Lydon
ASHBY & GEDDES

Richard Hermann
MORRIS JAMES LLP

I also certify that copies were caused to be served on February 7, 2008 upon the following in the manner indicated:

BY E-MAIL AND HAND DELIVERY

Steven J. Balick
John G. Day
Tiffany Geyer Lydon
ASHBY & GEDDES
500 Delaware Avenue
8th Floor
Wilmington, DE 19801

Richard Hermann
MORRIS JAMES LLP
500 Delaware Avenue
Suite 1500
Wilmington, DE 19801

BY E-MAIL

Edgar H. Haug
John Molenda
Sam Desai
FROMMER LAWRENCE & HAUG LLP
745 Fifth Avenue
New York, NY 10151

Elizabeth A. Leff
FROMMER LAWRENCE & HAUG LLP
1667 K Street, N.W.
Washington, DE 20006

George C. Lombardi
Imron T. Aly
Elizabeth H. Erickson
WINSTON & STRAWN LLP
35 West Wacker Drive
Chicago, IL 60601

/s/ Karen Jacobs Louden

Karen Jacobs Louden (#2881)